

Introduced by Senator Moorlach

February 18, 2016

An act to amend Section 9084 of the Elections Code, and to amend Section 88001 of, and to add Chapter 5.3 (commencing with Section 8347) to Division 1 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1251, as introduced, Moorlach. Publication of state financial obligations: Internet Web site and ballot pamphlet.

(1) Existing law requires a local agency, if it maintains an Internet Web site and is required to report specific financial information to the Controller, to post, in a conspicuous location on its Internet Web site, information on the annual compensation of its elected officials, officers, and employees. Existing law authorizes a local agency to meet this requirement by posting a link to the Controller's Government Compensation in California Internet Web site in a conspicuous location on its Internet Web site.

This bill would establish the California Financial Transparency Act of 2016 and would require ____ [an entity of state government] to create and maintain a dedicated Web page, hyperlinked to the homepage of its Internet Web site, that lists specific state financial obligations.

(2) The Political Reform Act of 1974 and the Elections Code each require the Secretary of State to prepare a ballot pamphlet that contains specific information.

This bill would require the Secretary of State to include in a ballot pamphlet a copy of all the information posted on a dedicated Web page, hyperlinked to the homepage of the Internet Web site of an unspecified

entity in state government, pursuant to the California Financial Transparency Act of 2016.

(3) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

The act also provides that, notwithstanding this vote requirement, the Legislature may amend specified provisions to add to the ballot pamphlet information regarding candidates or other information.

This bill, which would require additional information to be included in the ballot pamphlet, without making other changes to the act, would therefore require a majority vote.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9084 of the Elections Code is amended
2 to read:
3 9084. The ballot pamphlet shall contain all of the following:
4 (a) A complete copy of each state measure.
5 (b) A copy of the specific constitutional or statutory provision,
6 if any, that each state measure would repeal or revise.
7 (c) A copy of the arguments and rebuttals for and against each
8 state measure.
9 (d) A copy of the analysis of each state measure.
10 (e) Tables of contents, indexes, art work, graphics, and other
11 materials that the Secretary of State determines will make the ballot
12 pamphlet easier to understand or more useful for the average voter.
13 (f) A notice, conspicuously printed on the cover of the ballot
14 pamphlet, indicating that additional copies of the ballot pamphlet
15 will be mailed by the county elections official upon request.
16 (g) A written explanation of the judicial retention procedure as
17 required by Section 9083.
18 (h) The Voter Bill of Rights pursuant to Section 2300.
19 (i) If the ballot contains an election for the office of United
20 States Senator, information on candidates for United States Senator.
21 A candidate for United States Senator may purchase the space to
22 place a statement in the state ballot pamphlet that does not exceed
23 250 words. The statement may not make any reference to any

opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth by the Secretary of State for the preparation of the state ballot pamphlet.

(j) If the ballot contains a question on the confirmation or retention of a justice of the Supreme Court, information on justices of the Supreme Court who are subject to confirmation or retention.

(k) If the ballot contains an election for the offices of President and Vice President of the United States, a notice that refers voters to the Secretary of State's Internet Web site for information about candidates for the offices of President and Vice President of the United States.

(l) A written explanation of the appropriate election procedures for party-nominated, voter-nominated, and nonpartisan offices as required by Section 9083.5.

(m) A written explanation of the top 10 contributor lists required by Section 84223 of the Government Code, including a description of the Internet Web sites where those lists are available to the public.

(n) *A copy of all the information posted on the Web page of the Internet Web site of the ____ pursuant to the California Financial Transparency Act of 2016 (Chapter 5.3 (commencing with Section 8347) of Division 1 of Title 2 of the Government Code).*

SEC. 2. Chapter 5.3 (commencing with Section 8347) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 5.3. CALIFORNIA FINANCIAL TRANSPARENCY ACT OF
2016

8347. This chapter shall be known and may be cited as the California Financial Transparency Act of 2016.

8347.10. The ____ [an entity of state government] shall post all of the following current total amounts on a dedicated Web page that is hyperlinked to the homepage of its Internet Web site:

- (a) State revenues.
- (b) State expenditures.
- (c) Unfunded state pension liability.
- (d) Unfunded state retiree medical benefit liability.
- (e) Unfunded infrastructure needs.
- (f) Bond debt.

1 8347.20. On or before January 1 and July 1 of each year, the
2 ____ shall update the Web page required by Section 8347.10.

3 SEC. 3. Section 88001 of the Government Code is amended
4 to read:

5 88001. The ballot pamphlet shall contain all of the following:

6 (a) A complete copy of each state measure.

7 (b) A copy of the specific constitutional or statutory provision,
8 if any, that would be repealed or revised by each state measure.

9 (c) A copy of the arguments and rebuttals for and against each
10 state measure.

11 (d) A copy of the analysis of each state measure.

12 (e) Tables of contents, indexes, art work, graphics, and other
13 materials that the Secretary of State determines will make the ballot
14 pamphlet easier to understand or more useful for the average voter.

15 (f) A notice, conspicuously printed on the cover of the ballot
16 pamphlet, indicating that additional copies of the ballot pamphlet
17 will be mailed by the county elections official upon request.

18 (g) A written explanation of the judicial retention procedure as
19 required by Section 9083 of the Elections Code.

20 (h) The Voter Bill of Rights pursuant to Section 2300 of the
21 Elections Code.

22 (i) If the ballot contains an election for the office of United
23 States Senator, information on candidates for United States Senator.
24 A candidate for United States Senator may purchase the space to
25 place a statement in the state ballot pamphlet that does not exceed
26 250 words. The statement may not make any reference to any
27 opponent of the candidate. The statement shall be submitted in
28 accordance with timeframes and procedures set forth by the
29 Secretary of State for the preparation of the state ballot pamphlet.

30 (j) If the ballot contains a question as to the confirmation or
31 retention of a justice of the Supreme Court, information on justices
32 of the Supreme Court who are subject to confirmation or retention.

33 (k) If the ballot contains an election for the offices of President
34 and Vice President of the United States, a notice that refers voters
35 to the Secretary of State's Internet Web site for information about
36 candidates for the offices of President and Vice President of the
37 United States.

38 (l) A written explanation of the appropriate election procedures
39 for party-nominated, voter-nominated, and nonpartisan offices as
40 required by Section 9083.5 of the Elections Code.

1 (m) A written explanation of the top 10 contributor lists required
2 by Section 84223, including a description of the Internet Web sites
3 where those lists are available to the public.

4 (n) *A copy of all the information posted on the Web page of the*
5 *Internet Web site of the _____ pursuant to the California Financial*
6 *Transparency Act of 2016 (Chapter 5.3 (commencing with Section*
7 *8347) of Division 1 of Title 2).*

8 SEC. 4. The Legislature finds and declares that Section 3 of
9 this act, amending Section 88001 of the Government Code, is an
10 amendment of the Political Reform Act of 1974 that requires the
11 inclusion of additional information on the ballot pamphlet in
12 accordance with Section 88007 of the Government Code.